

City Council Seeks Additional Public Review of Proposed Amendments to the City's Commercial Zoning Regulations - Including Portions of the Mayor's Proposed Neighborhood Business District Strategy (NBDS) and Additional Related Proposals

Background: The Mayor proposed the NBDS in April of 2005, and transmitted proposed legislation to the city council near the end of May. The NBDS is an extensive revision of the city's land use code for commercial areas outside of downtown – the Neighborhood Commercial, Commercial, Neighborhood Commercial/Residential, and Pedestrian-designated overlay zones. The City Council's Urban Development and Planning (UDP) Committee held a public hearing on the NBDS on June 2nd and has been reviewing the proposal.

The UDP Committee has determined that some elements of the proposal warrant additional public review. In addition, councilmembers are seeking public review of councilmember-initiated proposals, not contained in the NBDS. The proposals upon which the committee is seeking additional comments are identified in Table 1, below. The UDP Committee welcomes comments on these elements through September 30, 2005.

Based upon public comments and council deliberations, the proposals ultimately adopted, if any, may be different than those in Table 1 below.

Please submit comments to:

Councilmember Peter Steinbrueck, Chair
Urban Development and Planning Committee
Seattle City Council
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(206) 684-8804

INFORMATION AVAILABLE

Copies of the Mayor's NBDS proposal are available from the Department of Planning and Development (DPD) Public Resource Center, 700 5th Avenue, Suite 2000 in the Seattle Municipal Tower, 684-8467. The Public Resource Center is open 8:00 a.m. to 5:00 p.m. on Monday, Wednesday, Thursday, and Friday, and 10:00 a.m. to 5:00 p.m. on Tuesday.

The Mayor's NBDS proposal is also available through the City's website at www.seattle.gov/dpd/planning/nbds, and may be reviewed at Neighborhood Service Centers and libraries.

Questions regarding the proposed amendments should be directed to

Jory Philips, DPD, 386-9761, or jory.phillips@seattle.gov

Lish Whitson, DPD, 233-0079, or lish.whitson@seattle.gov

Bob Morgan, City Council Central Staff, 684-8150 or bob.morgan@seattle.gov

Table 1:
NBDS Elements for Further Public Review and Comment

Element	In DPD Director's Report: ¹ Page #	In Proposed Ordinance: Page #/ Code Section / Current SMC ²
Parking		
1. Eliminating minimum parking requirements in commercial zones in Urban Centers (except for certain Northgate overlay parking regulations) and in designated station areas (currently around light rail station areas, and potentially around monorail stations.)	53-62	140/ (23.54.015A)/ (23.54.015)
2. Outside of Urban Centers and designated station areas, reducing some minimum parking requirements for some commercial uses in all zones, and reducing some minimum multifamily parking requirements for commercial zones. Changes affect uses such as retail sales and services, restaurants and taverns, lodging, and transportation facilities. See charts comparing minimums in SEPA checklist at locations listed under "INFORMATION AVAILABLE," above.	53-63	140 & 146-154/ (23.54.015B)/ (23.54.015)
3. Allowing on-site accessory parking to be used by the general public as short-term parking in zones where principal use parking is permitted outright.	64-65	36/ (23.47A.004F)/ NA
4. The UDP Committee is considering the concept of permitting property owners to lease-out unused parking that is accessory to residential uses in a structure to persons who do not reside in the structure for short-term or long-term parking.	Councilmember initiated, not in NBDS	

¹ See "INFORMATION AVAILABLE" above for how to obtain copies of the DPD Director's Report and proposed ordinances.

² Seattle Municipal Code

Element	In DPD Director's Report: ¹ Page #	In Proposed Ordinance: Page #/ Code Section / Current SMC ²
5. Waiving parking for the first 1,500 sf of businesses, per <i>business</i> , instead of the first 2,500 sf of non-residential <i>use</i> , in all commercial zones outside of pedestrian designated zones. Greater waivers would still be permitted in pedestrian zones.	63	141/ 23.54.015E/ 23.54.015E
6. Waiving parking requirements up to the first 20 spaces for businesses that are locating in an existing building (change of use).	64	142/ 23.54.015H/ NA
Other Provisions		
<p>7. Revising the rezone evaluation criteria for all of the commercial zones to allow flexibility to rezone property to better achieve the City's goals, and strengthen the relationship between the commercial zones and the Urban Village Strategy. There is more focus on meeting stated goals, such as transforming auto-oriented areas into more pedestrian-oriented areas, rather than maintaining compatibility with existing character. A number of provisions promoting zone compatibility with existing density would be removed and replaced with provisions promoting zone compatibility with an area's role in the urban village strategy.</p> <p>Also, the proposal would remove a provision that overlay districts established pursuant to neighborhood plans may be modified only pursuant to new or amended neighborhood plans. Consideration of neighborhood plan goals and policies would continue to be required in considering rezones, including those to remove an overlay.</p>	7-19	5-14/ 23.34.074-082/ 23.34.074-082 23.34.007C
8. Pedestrian Designated Area Rezones: Creating three new pedestrian designated zones in the Admiral, Eastlake and Madison-Miller areas, and expanding pedestrian designated zones in Columbia City, Greenwood/Phinney Ridge, and Lake City	8-14	301, 302 & 305-310/ 23.32/ 23.32

Element	In DPD Director's Report: ¹ Page #	In Proposed Ordinance: Page #/ Code Section / Current SMC ²
9. Eliminating the Neighborhood Commercial/Residential (NC/R) zone designation as a zone option. DPD staff indicate that this zone is duplicative of proposed new provisions that allow residential uses at the street level and eliminate special density limits on single-purpose residential structures in commercial zones.	15-19	NA
10. Using floor area ratios (FARs) to limit bulk and density in all structures, residential and non-residential, instead of current limitations on residential structures. Currently there is a 64% limit on lot coverage above the first floor (for residential uses only). Also, currently there are limits on the number of residential units permitted (residential density limits) in single-purpose residential projects.	35-46	70-73/ 23.47A.013/ 23.47.008D & 23.47.009
11. Providing incentives for housing, historic preservation and open space through transfer of development rights (TDR).	Councilmember initiated, not in NBDS	
12. Reducing residential amenity (usable open space) requirements from 20% of a structure's gross residential floor area to 10%, not to exceed 50% of the lot area. Allowing up to one-half of the area to be inside the structure. Also, allowing one-half of the amenity area requirements to be met by paying a fee in-lieu, which would be used to provide publicly accessible open space off-site.	49-51	99-100/ 23.47A.024/ 23.47.024
13. Permitting greater height than is currently allowed for roofs that are steeply sloped. Currently, an additional 5 feet in building height is permitted for roofs that slope at a rise-to-run ratio of 3:12.	Councilmember initiated, not in NBDS	

Element	In DPD Director's Report: ¹ Page #	In Proposed Ordinance: Page #/ Code Section / Current SMC ²
Street-level Residential use in Commercial Zones		
14. Removing current limitations on street-level residential uses in commercial zones, except in pedestrian-designated zones and other specified areas and zones.	26-31	41-42, 55-57/ 23.47A.005/ 23.47.006B4 & B5 & 23.47.023
15. Allowing additional alternatives intended to help prevent vacant storefronts, such as allowing residential uses in spaces designed to accommodate future commercial use.	Councilmember initiated, not in NBDS	